THE HON'BLE MR JUSTICE B.PRAKASH RAO

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.2394 of 2005

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7th December 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29.08.2005 in W.P.M.P.No.10314 of 2005 in W.P.NO.7769 OF 2005 on the file of the High Court.)

Between:

G.Srinivasa Rao S/o.Govinda Rao,
Santha Sita Rama Puram Village, Etcherla (M) Srikakulam District.

...APPELLANT

AND

1. The Divisional Electrical Engineer, Operation, Srikakulam, EPDCL.
2. The Gram Sarpanch, Santha Sitaramupram Village, Etcherla Mandal, Srikakulam.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.2394 of 2005

JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

The Writ Appeal is filed by the appellant/petitioner aggrieved by the order dated 29.08.2005 in W.P.M.P.No.1014 of 2005 in W.P.No.7769 of 2005 rejecting the interlocutory application, which is filed seeking payment of salary to him.

The main grievance of the appellant is that he has been working since the year 1989 as Village Electricity Worker, but salary has not been paid to him.

Having heard the learned counsel on either side and on perusal of the material available on record, *prima facie*, we are satisfied that in the Scheme, there is no direct employer and employee relationship as such between the first respondent and

the appellant. More so, in the absence of any approval, the appellant cannot be said to have any enforceable right. In the circumstances, we do not find merits in the appeal, more so, when the order under appeal is an interlocutory one.

Accordingly, the Writ Appeal is dismissed. No costs.

Expedite the hearing of the Writ Petition No.7769 of 2005. Post immediately after Pongal Vacation, 2006.

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(B.PRAKASH RAO, J)

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(DR G.YETHIRAJULU, J)

7th December 2005

RRB

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